

UNAPPROVED MINUTES
PLANNING COMMISSION

April 15, 2015

A regular meeting of the Planning Commission of the City of Salem, Virginia, was held in Council Chambers, City Hall, 114 North Broad Street, at 7:00 p.m., on April 15, 2015, there being present all the following members of said Commission, to wit: Vicki G. Daulton, Bruce N. Thomasson, Samuel R. Carter, III, and Denise P. King (Jimmy W. Robertson – absent) with Vicki G. Daulton, Chair, presiding; together with James E. Taliaferro, II, Assistant City Manager and Executive Secretary, ex officio member of said Commission; Melinda J. Payne, Director of Planning and Development; Charles E. Van Allman, Jr., City Engineer; Benjamin W. Tripp, Planner; Judy L. Hough, Planner; Mary Ellen Wines, Deputy Zoning Administrator/ Secretary; and William C. Maxwell, Assistant City Attorney; and the following business was transacted:

The March 11, 2015, work session and regular meeting minutes were approved as written.

In re: Hold public hearing to consider the request of Sonal P. and Pinkesh R. Patel, property owners, and Jatin Patel, contract purchaser, for rezoning a 2.67 acre parcel located in the 1200 block of Thompson Memorial Drive (Tax Map # 20-2-4) from RSF Residential Single Family District to HBD Highway Business District (Contract purchaser has requested a continuance to the May 13 meeting.)

The Executive Secretary reported that this date and time had been set to hold a public hearing to consider the request of Sonal P. and Pinkesh R. Patel, property owners, and Jatin Patel, contract purchaser, for rezoning a 2.67 acre parcel located in the 1200 block of Thompson Memorial Drive (Tax Map #20-2-4) from RSF Residential Single Family District to HBD Highway Business District (contract purchaser has requested a continuance to the May 13 meeting); and

WHEREAS, the Executive Secretary further reported that notice of such hearing had been published in the April 2 and 9, 2015, issues of the Salem Times Register, and adjoining property owners were notified by letter mailed on April 3, 2015; and

WHEREAS, staff noted the following: the subject property is located at the corner of Thompson Memorial Drive and Penguin Lane; it consists of 2.674 acres, which is divided by Penguin Lane, and is currently vacant; this request is to rezone the property to allow the construction of a convenience store with gas pumps and an additional commercial outparcel; the engineers and contract purchaser held a community meeting with residents of the neighborhoods on Penguin and Polar Lanes on April 1st; after the meeting, the engineers and

contract purchaser decided they needed more time to address concerns and comments from the meeting; therefore, they are requesting to continue the petition to the May 13, 2015, Planning Commission meeting; and

WHEREAS, the Executive Secretary noted the petitioner has requested the item be continued until the May 13th meeting; and

WHEREAS, Chair Daulton asked if there will be a formal presentation tonight; Melinda Payne noted the petitioner and his engineers requested the continuance after meeting with some of the residents who live in the community as they felt they needed to do further work on the plans before presenting to the Commission; and

ON MOTION MADE BY COMMISSIONER KING, SECONDED BY COMMISSIONER THOMASSON, AND DULY CARRIED, the request of Sonal P. and Pinkesh R. Patel, property owners, and Jatin Patel, contract purchaser, for rezoning a 2.67 acre parcel located in the 1200 block of Thompson Memorial Drive (Tax Map #20-2-4) from RSF Residential Single Family District to HBD Highway Business District is hereby continued to the May 13, 2015, Planning Commission meeting – the roll call vote: all present - aye.

In re: Hold public hearing to consider the request of Mechanical Development Company, Inc., property owner, and Launching Pad Trampoline Park, lessee, for the issuance of an Use Not Provided for Permit to allow an indoor trampoline park and family entertainment center on the property located at 1300 Intervale Drive (Tax Map # 250-1-1.2)

The Executive Secretary reported that this date and time had been set to hold a public hearing to consider the request of Mechanical Development Company, Inc., property owner, and Launching Pad Trampoline Park, lessee, for the issuance of an Use Not Provided for Permit to allow an indoor trampoline park and family entertainment center on the property located at 1300 Intervale Drive (Tax Map #250-1-1.2); and

WHEREAS, the Executive Secretary further reported that notice of such hearing had been published in the April 2 and 9, 2015, issues of the Salem Times Register, and adjoining property owners were notified by letter mailed on April 3, 2015; and

WHEREAS, staff noted the following: the subject property consists of a 3.7 acre parcel located in the cul-de-sac of Intervale Drive; the parcel is occupied by a large single-story industrial building; this request is for an Use Not Provided For Permit to allow an indoor trampoline park and family entertainment center; the lessee has been trying to locate a

suitable building in the Roanoke Valley to open a second location of a family-owned business known as the “Launching Pad Trampoline Park” located in Raleigh, North Carolina; the business requires clear ceiling heights of at least 19 feet, which eliminates most commercial buildings in Salem; and staff searched to find a location with their requirements but most buildings were not suitable for the business; and

WHEREAS, Kevin Sisson, owner of the Launching Pad Trampoline Park, lessee, appeared before the Commission explaining the Use Not Provided for Permit request; he noted that they are looking to expand their business and have identified Salem as a great location; they believe the building on Intervale Drive will work and meets a lot of their requirements necessary for the trampoline park; he noted he would be happy to address any questions the Commission might have or if they would like further information about the business; and

WHEREAS, Commissioner King asked how many people would he anticipate having in the building at one time; Mr. Sisson noted that there would be approximately 200 at one time; he noted that the way it works is that there are trampoline platforms and trampoline beds; as a safety precaution, there is only one person jumping on a bed at a time; so the capacity in the building is limited to the number of people that would be jumping on the trampoline beds; the way the layout would work in the building it would be roughly 200 people; he further noted that most people would jump for an hour and then maybe stay and play in the arcade or the other activities and then leave; so most people are in the building for an hour and a half to two hours and then the next group comes in; she noted that in the letter furnished by the property owner, that they intend to realign the parking lot in the rear; she asked how many parking spaces do they anticipate will be in the lot; Mr. Sisson noted that they do not have this information yet; he was on site earlier in the day meeting with a civil engineer and working through this; he further noted they anticipate making the entrance to the building in the rear of the existing structure since the parking is in the back; so in essence, the loading dock will be turned into the front entrance of their building; so everyone will park in the rear and then come up to a new entry way that will be made through the loading dock; Mrs. King asked if they anticipate using the driveway that is currently on the westerly side of the property, and Mr. Sisson noted that this was correct; and

WHEREAS, Chair Daulton asked the petitioner about the hours of operation; Mr. Sisson noted they have not decided completely on the hours but the thing to remember about the business is that it is focused on kids, it is a weekend business; they will drive 90-95% of their traffic from Friday evening through Sunday; this is the reality of the business and this is what they do at their current location in Raleigh; they struggle like movie theaters and other businesses to get people to come in during the week because the children are in school; there is

not a lot of weekday traffic; he thinks they will be closed two days during the week, likely Tuesday and Wednesday, so they will be open 5 days; Thursday they might be open from noon to 8; Friday from noon to 10; Saturday probably 10 to 10; Sunday from noon to 6; and Monday from noon to 8; he noted that Friday through Sunday is the critical time; and

WHEREAS, Vice Chair Thomasson asked Mr. Sisson if they have trampolines that are angled on the walls; he noted that he has seen these; Mr. Sisson said they have this type, and he explained the different types of trampolines and how they work; he further noted they will have about 12,000 square feet of trampolines with different activities; Mr. Thomasson asked about the safety and he added he thought there would be daily maintenance; Mr. Sisson noted that he was absolutely correct about the daily maintenance; he stated they do a before open check and an after close check – they have people crawling under the trampolines to check springs, trampoline beds, etc.; he noted that this is a big part of the process; and

WHEREAS, Chair Daulton asked Mr. Sisson if he had relatives or family in Salem or what brought him to Salem; he noted he does not have family here; they live in Raleigh, and he was basically looking for a good place to expand taking into account demographics and the competition; in addition, he needed to take into account driving distance and with a three hour drive to Salem, this is about all he could stand for a long period of time; he was familiar with the area as many years ago he worked in Roanoke for about a year; he further noted that the issue with the business is that it is very difficult to find a building, i.e. parking, tall ceilings, 25,000-30,000+ square feet, column spacing far enough apart; so, it is not easy to find a building and taking into account all these factors this was how he ended up in Salem; and

WHEREAS, Vice Chair Thomasson asked how many parks they currently have, and Mr. Sisson noted that they just have the one in Raleigh; and

WHEREAS, Commissioner Carter asked if the trampolines are built into the existing floor, and Mr. Sisson noted that they are not but they are raised; they are built up to a platform that is four feet above the ground; the participants step up onto the platform and access all the trampoline courts from the platform; so there is 12,000 square feet of trampoline courts all accessed from a platform that is probably about 4,000 square feet; this is a rough figure as they do not have all the details worked out yet; going back to the safety question, the way their trampolines are built is every individual trampoline bed in addition to having about 140 springs that bolts the bed to a metal frame, they also have redundant beds under every trampoline so that if for some reason the trampoline bed splits there is another one underneath; the important thing is that we do not want people hitting the floor so if one splits there is another one underneath; but, again, they are 4' in the air; and

WHEREAS, Andy Travers, General Manager of Roanoke Valley Wine Company, appeared before the Commission in opposition to the request; he noted that their business is located at 1250 Intervale Drive, adjacent to this property; the President of their company, Beth Crittenden, submitted a letter last week outlining a few of the concerns that she has about the proposed business; he noted that he wanted to address a couple highlights of the letter and to make sure the Commission received the letter; it was noted that the Commission did receive Mrs. Crittenden's letter; he noted that they firmly believe and love the idea of Mr. Sisson's business and they are certainly pro-business; the Crittendens came to Salem some 20 years ago and were able to grow their business here in this office park; he thought it was interesting that the questions the Commission have asked tonight were about safety because we are going to have children and folks seeking recreation at this property; their primary concern is that the zoning laws exist for a very good reason; as pointed out in the zoning laws for Salem in the article general provisions, one of the very first things identified is safety, and they think this is very important; they are very concerned about having small children and people not familiar with the area around an industrial area that is commonly populated by large trucks, over the road truckers that are also unfamiliar with the area coming into the office park for the first time; he further noted that Roanoke Valley Wine is not the only one in the area and they are not the biggest one either; the Reader Link office building gets several times the amount of tractor trailer traffic that they get; there is also the moving company around the corner and the heating and air conditioning company that has lots of traffic going to and from their locations; another thing that is concerning is the plan to have the primary parking and access located in the rear of the building; Roanoke Valley Wine shares this driveway with this property and the driveway is only 20' wide; one of the photos submitted with the letter shows a truck and not even a large truck, only able to go down this particular part; the pathway is not wide and it is not two way and it has limited visibility into the parking lot and also coming out into the cul de sac; he noted that it is not safe for children to be running around here; a couple other points and these are specifically related to his review of the general provisions of the zoning ordinance, one is related to convenience and access – he would suggest the proposed business would reduce the convenience and access for some of the existing businesses located in the park; these are good businesses that have been there a while and are growing and contributing to the tax structure; another item that is spelled out in the provisions is the reason the zoning laws exist is to reduce and prevent congestion in public streets; they are making the point that the existing street, Intervale Drive, which feeds these properties is currently often congested with traffic such as trailer traffic that is going to and from the businesses planning for deliveries on Monday mornings and other days during the week; even though they are not open on Saturday and Sunday, there are over the road drivers that often come in to their property on those days to stage trucks for delivery; that also occurs at the Reader Link property; another

point is to facilitate the creation of a convenient and harmonious community; he believes that this type of recreation center at this location, which is nearly a mile into this industrial area not visible to common public access, would be a business disruption more than anything else; he noted that he lives in the community and has two children himself and several employees who also have children and they share these concerns; he would like to think that their drivers are safe when they are out on the road, and he would like to promote safety the best that he can; and

WHEREAS, no other person(s) appeared related to said request;

WHEREAS, Vice Chair Thomasson asked Mr. Sisson if he wanted to address Mr. Travers' comments; Mr. Sisson noted that he admittedly does not know the area that well as he has only been here three times to see the building each time during the week days, and today was the first time that he saw a truck so he was not sure when the pictures were taken and how much traffic there is; he noted that he has four children of his own and he runs a business and he is the one that is going to be liable if a child gets run over; he would not want to go to a place where his children would be in danger of getting run over by a truck; another thing to keep in mind is that it is not just here – there are probably about 350 trampoline parks in the country and 95% of them are located in industrial areas because of the building needs; they cannot find a building anywhere else that meets these requirements; so there are people all over the country dealing with these issues; one thing he liked about this particular industrial area is that it is not nearly as industrial as a lot of other places he has looked at; he described some of the other parks he has driven through; this park is literally two blocks off of Route 419 and the first block is residential and then we get into the industrial area; to him, this area does not feel like an industrial area like a lot of other industrial areas where 95% of the trampoline parks are built; he does not know about the trucks staging deliveries because he does not know what this means; he is not sure if this means they are staging the deliveries in the back lot of 1300 Intervale Drive but they certainly should not be and he does not believe they have an easement to do that; he thinks what it comes down to is that they can share the drive isle; his customers will drive through the drive isle and then go to the back parking lot to park; the fear of the trucks coming down the drive isle and running over the children, the children do not have any reason to be going back out to the drive isle; the entrance to the business will be on the back loading dock; he believes that this is a little bit overblown; he noted that most of their traffic will be on the weekends, and Mr. Travers noted that they are not open on Saturday and Sunday; he does not think there will be a whole lot of conflicts; and

WHEREAS, Commissioner King asked if there was any plan to have some sort of barrier between the parking lot and the loading dock entry from the wine company's property; Mr.

Sisson noted this was an interesting question and they actually had discussed this today when he meet with the engineers at the property; he noted if there is a 30' easement they could put up a barrier along this line at the wine company's loading dock; legally he thinks they can do that but from looking at their trucks there would be no way for them to get in or out of their loading docks if they did this; so obviously they want to try to avoid that; so as a neighborly thing he thinks they will try to avoid that; Commissioner King asked about the right of way agreement for the driveway; the Commission was shown a plat that shows this right of way; she asked staff how wide it was and it was noted the width is 30'; she noted that Mr. Travers said it is only 20' wide; and

WHEREAS, John Powell of Mechanical Development appeared before the Commission; he noted the easement is 30' and he is guessing that at the narrowest part of the driveway which is up at the front of the buildings that it is 20'; but it is a 30' right of way from the property line between the two properties; Commissioner King asked if there was any limitation as to what it could be used for, and Mr. Powell noted that it is for "pedestrian and motor vehicle ingress and egress"; and

WHEREAS, Vice Chair Thomasson asked if the property is well lit since the business will be open later on the weekends; Mr. Sisson noted that he has not seen it at night so he does not know, but it is on their list to put lights up as needed; and

WHEREAS, Commissioner Carter asked Chuck Van Allman if there was enough room to get in the required number of parking spaces; Mr. Van Allman noted that it appears that they will need 67 parking spaces and it looks like they should be able to get this many spaces; and

WHEREAS, Commissioner King asked if this includes the parking for the employees as she recalls from the letter submitted with the request that there might be 60 to 65 employees and she assumes that he will only have maybe half of them there at any one time; Mr. Sisson noted that at the most there would only be half; and

WHEREAS, Mary Ellen Wines noted that according to the zoning ordinance they would need to have a space for every three people in the building based on the maximum occupancy of the building; so, if they are going to have 200 people in the building, then this would be approximately 67 spaces plus employees; however, they will know the exact amount needed until they receive the Building Official's occupancy load, etc.; Commissioner Carter noted there is an area on the other side of the building which could be included also; Mrs. Wines noted this was correct; she stated this could be used for employees and then the back portion could be used for patrons; and Mr. Van Allman noted that there is room in the back to expand if needed;

ON MOTION MADE BY VICE CHAIR THOMASSON, SECONDED BY COMMISSIONER CARTER, AND DULY CARRIED, the Planning Commission of the City of Salem doth recommend to the Council of the City of Salem that the request of Mechanical Development Company, Inc., property owner, and Launching Pad Trampoline Park, lessee, for the issuance of an Use Not Provided for Permit to allow an indoor trampoline park and family entertainment center on the property located at 1300 Intervale Drive (Tax Map #250-1-1.2) be approved – the roll call vote: all present - aye.

In re: Hold public hearing to consider the request of TLF McClung LLC, property owner, and Salem Area Ecumenical Ministries, lessee, for the issuance of an Use Not Provided for Permit to allow the relocation of Salem Community Clothes Closet, a ministry of Salem Area Ecumenical Ministries to provide free clothing for needy citizens, on the property located at 825 S. Colorado Street (Tax Map # 184-3-12)

The Executive Secretary reported that this date and time had been set to hold a public hearing to consider the request of TLF McClung LLC, property owner, and Salem Area Ecumenical Ministries, lessee, for the issuance of an Use Not Provided for Permit to allow the relocation of Salem Community Clothes Closet, a ministry of Salem Area Ecumenical Ministries to provide free clothing for needy citizens, on the property located at 825 S. Colorado Street (Tax Map # 184-3-12); and

WHEREAS, the Executive Secretary further reported that notice of such hearing had been published in the April 2 and 9, 2015, issues of the Salem Times Register, and adjoining property owners were notified by letter mailed on April 3, 2015; and

WHEREAS, staff noted the following: the subject property consists of .287-acre parcel located on the northwest corner of the South Colorado Street and Seventh Street intersection; the parcel is occupied by a large single story industrial building with attached two-story office building; this request is for an Use Not Provided For Permit to allow the relocation of Salem Community Clothes Closet, a ministry of Salem Area Ecumenical Ministries to provide free clothing for needy citizens; the Clothes Closet has been located in donated space on Chapman Street for the last sixteen years; the Salem Area Ecumenical Ministries was notified earlier this year they would have to vacate their space by May 10 due to the Food Pantry needing room to expand; they have searched for appropriate space but were limited in their search; the property at 825 S. Colorado Street meets all their criteria for space, accessibility, and location; and

WHEREAS, Kitty Tate of 217 Waverly Avenue, Chairman of the Board of Directors of the Salem Ecumenical Ministries, appeared before the Commission explaining the Use Not Provided for Permit request; she noted the Salem Ecumenical Ministries among other things, supervises the operation of the Salem Clothes Closet; she discussed some of the history of the Clothes Closet, which started in the basement of First United Methodist Church; the most recent home of the Clothes Closet has been a space on Chapman Street, where it has been for 16 years; in February of this year, they were notified by Novozymes that they would have to vacate the premises by May 10; since that time, they have been scouring the City trying to find a location; she noted the Planning and Development office has been invaluable helping them look at properties that might work for them; she noted that they need proximity to the Food Pantry because they serve the same clients; only about one half of the clients they serve have transportation so they also need proximity to the bus line; they also need accessibility and parking, which they really do not have at the current location; one of their members contacted the McClungs and a couple of the Board members took a tour of their building and liked what they saw; she noted that looked at numerous properties and of all the properties they have seen, this was the only one that fit all the requirements they had except that it needs this permit; she requested the Commission consider their request for the Use Not Provided for Permit; and

WHEREAS, Commissioner King asked if they would be using the showroom only or the showroom and the office building at the front on Colorado Street; Mrs. Tate noted they have talked to the property owners about using part of the showroom and the conference room, which is part of the office building; she noted that it will be somewhere around 2,500 square feet; they have been in a little under 1,500 square feet for a long time and need the additional space; Commissioner King asked if everyone, including volunteers, would enter through the showroom door, and Mrs. Tate noted that there is more than one showroom door; she noted that there is an entrance at the west end of the building where the donations could be dropped off and then the main door would be used for the clients or customers; Commissioner King noted on the drawing submitted there is an area in front of the showroom which fronts onto South Colorado Street; she asked if this area would be used for parking for the Clothes Closet, and Mrs. Tate noted that they would not be using that area; and

WHEREAS, no other person(s) appeared related to said request;

ON MOTION MADE BY COMMISSIONER CARTER, SECONDED BY COMMISSIONER KING, AND DULY CARRIED, the Planning Commission of the City of Salem doth recommend to the Council of the City of Salem that the request of TLF McClung LLC, property owner, and Salem

Area Ecumenical Ministries, lessee, for the issuance of an Use Not Provided for Permit to allow the relocation of Salem Community Clothes Closet, a ministry of Salem Area Ecumenical Ministries to provide free clothing for needy citizens, on the property located at 825 S. Colorado Street (Tax Map # 184-3-12) be approved – the roll call vote: all present - aye.

There being no further business to come before the Commission, the same on motion adjourned at 7:32 p.m.

Executive Secretary

Chair